

embodiment disclosed in figures 4, 5, 6 and page 10 line 15 through page 10 line 14. While recognizing that claim 1 is a generic claim, the Examiner requested an election under 35 U.S.C. §121 of a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and requested a listing of claims readable on the elected species.

The Applicants traverse this restriction requirement to the extent that the imager cell depicted in figure 2 is a more detailed view of the imager cell depicted in figure 1 and together figures 1 and 2 identify a single distinct species of the generic claim 1. In particular, to clearly identify one aspect of Applicants' invention as described in the specification, Fig. 2 depicts regions 219, 221, and 223 of pinned transfer gate 206 and sense node 208 that correspond to the transfer gate 104 and sense node 103. In addition, the reset transistor 108 shown in Fig. 1 corresponds to the reset transistor 210 depicted in cross-sectional view in Fig. 2.

Accordingly, in response to the Examiner's restriction requirement, Applicants elect to prosecute claims 1-11 and claims 43-50 that read on the disclosed species depicted in Figures 1 and 2. See Application pg. 5 line 19 - page 7 line 9. As acknowledged by the Examiner, Applicant reserves the right upon allowance of a generic claim to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.41.

Respectfully submitted,

Dated: October 23, 2002

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